

The 13th May, 1971

No. 2019-2FR-71/13334.—In exercise of the powers conferred by the proviso to article 309 of the constitution of India and all other powers enabling him in this behalf, the Governor of Haryana hereby makes the following amendments in the Punjab Civil Services Rules, Volume-II, namely :—

1. These rules may be called the Punjab Civil Services, Volume-II (Haryana. first Amendment) Rules, 1971.
2. In the said rules, after rule 3.17, the following shall be added as new rule, namely:

“3.17-A: (a) All services interrupted or continuous followed by confirmation shall be treated as qualifying service; the period of break shall be omitted while working out aggregate service.

(b) Extraordinary leave counted towards increments under rule 4.9 (b) (ii) of Punjab Civil Services Rules, Volume-I, Part I, will be accounted towards Service qualifying for pension.

(c) Periods of suspension, dismissal, removal compulsory retirement followed by re-instatement will count for pension to the extent permissible under rule 4.17 of Punjab Civil Services Rules, Volume-II read with rule 7.3 of the Punjab Civil Services Rules, Volume-I Part-I

(d) Resignation from the Public service or dismissal or removal from it for misconduct, insolvency, inefficiency, not due to age, or failure to pass a prescribed examination will entail forfeiture of past service in terms of rule 4.19 (a) of Punjab Civil Services Rules, Volume-II.

(e) An interruption in the service of a Government employee caused by wilful absence from duty and unauthorised absence without leave will as hitherto entail forfeiture of past service.

(f) Employees retiring from Government service without confirmation (as temporary employees) in any post on or after 5th February, 1969 will be entitled to invalid/retiring/invalid superannuation pension and death-cum-retirement-gratuity on the same basis as admissible to permanent employees. In case of death of temporary employees in service his family will also be entitled to similar benefits as are admissible to the families of permanent employees. This concession will, however, not apply to :

 - (i) Pensions paid from contingencies;
 - (ii) Work-charged staff;
 - (iii) Casual Labour;
 - (iv) Contract officers; and
 - (v) Persons borne on contributory Provident Fund Establishment.
3. In the said rules, after rule 6.19-B, the following shall be inserted, namely:

6.19-C: (i) In respect of a Government employee retiring from service on or after 5th February, 1969, the term ‘emoluments’ for these purposes shall mean ‘pay’ as defined in rule 2.44 of Punjab Civil Services

Rules, Volume-I, Part I, If a Government employee immediately before his retirement or death, has been absent from duty on leave with allowances, his emoluments for the purpose of calculating service gratuity or death cum-retirement gratuity should be taken at what they would have been had he not been absent from duty. Provided that the amount of gratuity is not increased on account of increase in pay not actually drawn and that benefit of higher officiating or temporary pay is given only if it is certified that he would have continued to hold the higher officiating or temporary appointment but for his proceeding on leave.

- (ii) Pay drawn in tenure appointment (s) will count provided the service in tenure appointment (s) does not qualify for grant of special additional pension.
- (iii) There will be no change in the existing principal of reckoning those emoluments for pension which are paid by the Government. In other words the entire amount drawn as emoluments by a Government employee while on foreign service will not count for pension and gratuity. In such a case, the pay which the Government employee would have drawn under the Government had he not been sent on foreign service will alone be taken into account.
- (4) In the said rules, in rule 6.24, for the words “three years” wherever they occur the words “two years” or figure and word “2 years” as the case may be, shall be substituted.
- (5) In the said rules, the existing rule 9.19 shall be numbered as rule 9.19 (a) and the following new clause (b) shall be added namely:

“(b) In the case of non-gazetted Government employees, retiring on or after 5th February 1969, pending scrutiny and authorisation of final pension/gratuity by the audit office the pension sanctioning authority is authorised to pay anticipatory pensions for a period of six months from the date of retirement and anticipatory gratuity up to 75% of the amount calculated by them to be paid to the retiring person. The sanctioning authority shall communicate the orders to the Treasury Officer concerned who shall act without obtaining further authority of the Accountant-General, Haryana. In rare cases, where pension cannot be finalised within six months of the date of retirement the anticipatory payments may be continued only on a specific authority of the Accountant-General, which will be issued to the Treasury Officer under intimation to the Head of Office. In such cases, P.P.O. will be issued by the Accountant-General, effective from the date immediately after the period of six months expires.

“These provisions will be applicable to retirements taking place on or after 5th February, 1969.”